

IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO. 10908 OF 2007

-
Dated : May 24, 2007

Between:

Cherukula Subbaramaiah and others

Petitioners

AND

The Mandal Revenue Officer (now Tahsildar),
Thottambedu Mandal, Chittoor District and another

Respondents

-
-
-

ORAL ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

As the assignment made in favour of the petitioners was cancelled on 01.08.2004 by the respondent No.1, the same was questioned by way of an Appeal filed before the Revenue Divisional Officer, Chittoor – 2nd respondent herein. Along with the appeal, the petitioners filed an application for stay of the orders passed by the respondent No.1.

The grievance of the petitioners is that though the respondent No.2 has received the appeal along with the application for stay, he has not passed any order and that the respondent No.1 is threatening to dispossess the petitioners from the subject lands.

Having regard to the fact that appeal filed by the petitioners along with stay petition is pending before the respondent No.2, it is not proper for the respondent No.1

to dispossess the petitioners pending appeal.

Therefore, the writ petition is disposed of with a direction to the respondent No.1 not to dispossess the petitioners from the lands to an extent of Ac.4.92 cents in Sy. Nos. 230/3 and 216/4 of Thottambedu Mandal, Chittoor District, till disposal of the appeal by the respondent No.2. There shall be no order as to costs.

C.V. NAGARJUNA REDDY, J

Dated:24.05.2007

CC in two days.
MAS